

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

EVELYN O. MORROW,)
)
Plaintiff,)
)
vs.) Civil Action Number
)
 5:04-cv-2346-UWC
)
SANMINA-SCI)
CORPORATION,)
)
Defendant.)

**FINDINGS OF UNDISPUTED FACT AND
CONCLUSIONS OF LAW**

Presently before the Court is Defendant Sanmina-SCI Corporation's Motion for Summary Judgment on Plaintiff Evelyn Morrow's claims that she was terminated because of her age and her sex. (Doc. 17.) Based on the Findings of Undisputed Fact which follow, the Court concludes that the Plaintiff has failed to prove either age or sex discrimination. Accordingly, Defendant's Motion for Summary Judgment is due to be granted.

FINDINGS OF FACT

1. Evelyn Morrow (“Morrow”) was an employee of Sanmina-Sci Corporation (Sanmina) for 34 years.
2. Morrow worked in various departments while at Sanmina and in 1999 was transferred to the position of Supervisor of the Plastic and Apache Shop.
3. Around 2003, Sanmina began to experience financial difficulties and in response implemented a number of cost saving measures. One of those measures entailed a reduction of its working force.
4. On July 7, 2003, Morrow was terminated in Sanmina’s third reduction in force for the year.
5. At the time of her termination, Plaintiff was 59 years old. She was only a few months away from entitlement to full retirement benefits.
6. At the time of Plaintiff’s termination, there were a number of employees older than she who were not terminated.
7. After Plaintiff’s termination, her position was temporarily assigned by her supervisor, Lonnie Tines, to Mike Hasty (“Hasty”).
8. While Hasty, a 49 year old male, had no training in the Plastics Shop; he had specialized knowledge in a program called IBOT.
9. In Plaintiff’s view, Tines terminated her because she was not a

member of his "click" which socialized with him after work. Hasty, on the other hand, was a member of the click. Tine's click included both males and females, as well as employees older and younger than the Plaintiff.

10. A month following his assumption of Plaintiff's duties, Hasty was terminated during Sanmina's fourth reduction in force.

CONCLUSIONS OF LAW

The Plaintiff has wholly failed to carry her burden of proof that either her sex or her age was a motivating factor in the Defendant's decision to discharge her.

By separate order, the Defendant's Motion for Summary Judgement will be granted.

Done the 18th day of April, 2006.



U.W. Clemon
Chief United States District Judge